

Response to Restriction Requirement
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(2) the composition recited in the claims of Group I may be used in a method other than the method of hand washing wares recited in the claims of Group II (see July 16, 2002 Office Action, page 2, lines 19-21);

(3) the claims of Group I and the claims of Group II are directed to divergent subject matter as shown by their different classification (see July 16, 2002 Office Action, page 3, lines 1-4); and

(4) a search required for the claims of Group I is not required for the claims of Group II (see July 16, 2002 Office Action, page 3, lines 4-5).

Applicant respectfully traverses the restriction requirement for at least the following reasons.

As discussed above, Examiner Yu and Examiner Harrison have already searched, examined and acted on the subject matter of Claims 1-9, 11-19, 21-27 and 29-52 in a November 21, 2001 Office Action (paper no. 10) and a March 26, 2001 Office Action (paper no. 7). In both the November 21, 2001 Office Action and the March 26, 2001 Office Action, the following claims were considered, searched and examined: Claims 1-7, 9-28 and 50-51 drawn to a chlorine-containing composition; and Claims 8 and 29-49 drawn to a method of washing wares using a chlorine-containing composition.

Applicants do not understand why, after two office actions in which Examiner Yu and Examiner Harrison considered all of the claimed subject matter as a single group of claims, Applicants should now have to choose between the above two groups of claims. Clearly, the search and examination associated with the two groups of claims is not unduly burdensome on Examiner Yu, given that she and Examiner Harrison have already searched and examined all of the claims two times. As stated in the MPEP §803, **"If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent and distinct inventions."**

Applicants respectfully submit that the search and examination of all of claims 1-9, 11-19, 21-27 and 29-52 can be made without serious burden on Examiner Yu as demonstrated in papers nos. 7 and 10 of the present application. Since MPEP §803 requires an examiner to examine all claims when the search and examination of all of the claims can be made without a serious burden on the examiner, Applicants respectfully submit that the restriction of claims 1-9, 11-19, 21-27 and 29-52 is improper and should be withdrawn.

For at least the reasons given above, Applicants submit that the restriction requirement is improper and untimely. Applicants respectfully request withdrawal of the



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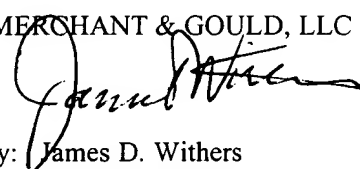
restriction requirement and continued consideration of Claims 1-9, 11-19, 21-27 and 29-52 as was done in the November 21, 2001 Office Action and the March 26, 2001 Office Action.

If Examiner Yu maintains the present restriction requirement, Applicants elect, **with traverse**, the claims of Group I, Claims 1-9, 11-19, 21-27 and 29 and 50-51, directed to a chlorine-containing composition and a method of cleaning wares or hard surfaces using the chlorine-containing composition.

No additional fees are believed due; however, the Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, to Deposit Account No. 13-2725.

Should the Examiner believe that anything further is necessary to place the application in better condition for allowance, the Examiner is respectfully requested to contact Applicants' representative at the telephone number listed below.

Respectfully submitted,
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By: 
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